



Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 589-3090
WEB www.nashuanh.gov

VARIANCE APPLICATION (ZBA)

PLEASE NOTE: INCOMPLETE OR ILLEGIBLE APPLICATIONS WILL NOT BE ACCEPTED

I. VARIANCE INFORMATION

1. ADDRESS OF REQUEST 24 Vespa Lane Nashua, NH 03064
Zoning District R-18 Sheet 000G Lot 00313

2. VARIANCE(S) REQUESTED:

Requesting a varying encroachment on side setback (between 5'-0" & 7'-0"; please refer to attached drawings for additional information) for an addition of a garage with a bedroom above.

II. GENERAL INFORMATION

1. **APPLICANT / OPTIONEE** (List both individual name and corporate name if applicable)

(Print Name): Andrew Morrissey
Applicant's signature [Signature] Date 1/23/22
Applicant's address 24 Vespa Lane Nashua, NH 03064
Telephone number H: C: 603-759-6358 E-mail: aj.morrissey@yahoo.com

2. **PROPERTY OWNER (Print Name):** Andrew Morrissey

*Owner's signature [Signature] Date 1/23/22
Owner's address 24 Vespa Lane Nashua, NH 03064
Telephone number H: C: 603-759-6358 E-mail: aj.morrissey@yahoo.com

*Agents and/or option holders must supply written authorization to submit on behalf of owner(s).

OFFICE USE ONLY Date Received Date of hearing 2-8-22 Application checked for completeness: CF

22-0009 Board Action

\$ application fee ☐ Date Paid Receipt #
\$ signage fee ☐ Date Paid Receipt #
\$ certified mailing fee ☐ Date Paid Receipt #

Land Use Code Section(s) Requesting Variance(s) From 196-16, Table 16-3

III. PURPOSE OF REQUEST

Answer all questions below. Provide as much information as available to give the ZBA the necessary facts to review your case. Attach additional sheets if necessary. See "Procedures for Filing a Variance" for further information.

1. **Granting of the requested variance will not be contrary to the public interest, because:** (The proposed use must not conflict with the explicit or implicit purpose of the ordinance, and it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

Please see attached for answers.

2. **The proposed use will observe the spirit of the ordinance, because:** (The proposed use must not conflict with the explicit or implicit purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

3. **Substantial justice would be done to the property-owner by granting the variance, because:** (The benefits to the applicant must not be outweighed by harm to the general public or to other individuals.)

4. **The proposed use will not diminish the values of surrounding properties, because:** (The Board will consider expert testimony but also may consider other evidence of the effect on property values, including personal knowledge of the members themselves.)

5. Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship, because: (The applicant must establish that because of the special conditions of the property in question, the restriction applied to the property by the ordinance does not serve the purpose of the restriction in a "fair and reasonable" way. Also, you must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood. Alternatively, you can establish that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.

Please see attached for answer (cont.)

IV. USE VARIANCE ADDITIONAL INFORMATION

Please answer all questions below that are applicable. Your answers to these questions will allow staff to better understand your request.

- a. Total number of employees Number of employees per shift
 b. Hours and days of operation
 c. Number of daily and weekly visits to the premises by customers, clients, vendors and solicitors
 d. Number of daily and weekly commercial deliveries to the premises
 e. Number of parking spaces available
 f. Describe your general business operations:

- g. Describe any proposed site renovations, including, but not limited to – landscaping, lighting, pavement, structural changes, signage, access and circulation:

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all the city ordinances and state laws regulating construction. I understand that only those points specifically mentioned are affected by action taken on this appeal.

Signature of Applicant

Andrew Morrissey

Print Name

Date

1/23/22

Date

1/23/22

The staff report for a Use Variance request will be available no later than Friday of the week before the ZBA meeting. If you would like a copy, please indicate below.

☐ I will pick it up at City Hall

☐ Please email it to me at

☐ Please mail it to me at

Variance for 24 Vespa Lane, Nashua

- 1. Granting of the requested variance will not be contrary to the public interest, because** this variance will provide us the opportunity to improve and expand our home to allow space for our growing family. This variance will not negatively affect adjacent or surrounding properties or the nature of the neighborhood in general. Our proposed project scope is not suggesting anything different or superior to what already exists in our neighborhood. Many houses in this neighborhood include a garage to the side of the house, with livable space above, which is the intent with our proposed scope. Our proposed project scope will not create our house to look or feel out of place to the neighborhood, but will instead, match and blend in with the adjacent houses in terms of projected frontage to the street view, overall density of house to lot, and materiality and aesthetics. Our proposed scope will not alter the lifestyles of our immediate neighbors, specifically our neighbors at 22 Vespa Lane. With this proposed addition, the function of the closest spaces to our neighbor will shift from more 'public' to more 'private' spaces. We currently have living and kitchen spaces as the functions closest to their property, and this addition is proposing a bedroom and bathroom space now along this exterior wall. We have intended for this addition to act more of a buffer to their private living spaces next door. Also, with our proposed design as well as with the nature of Vespa Lane's hill & topography, the sun angles and shadowing have been considered and will not reduce the quality of light on the neighbor's property. Our proposed scope will certainly not threaten the public health, safety, or welfare of any and all surrounding families, but will provide a positive impact to our family.
- 2. The proposed use will observe the spirit of the ordinance, because** the variance would not cause disruption to the neighborhood's character but would enhance our property and its value. The scope of this project will not change the use of the property and will remain a single family residence. Even with the proposed addition, our home will remain in conformance to the open space percentage requirement within the R-18 district. On a lot size of approximately 9,900 square feet, the total proposed building footprint (including decks and driveways) is equal to 2,630 square feet. The proposed scope will be committed to keeping a required 24'-0" drive or less. While a portion of the addition will project forward from the front of the existing house, a 20'-0" dimension to our property line will be maintained. It is not our desire to drastically modify the approach or feel of our property but allow for more internal functioning space.
- 3. Substantial justice would be done to the property-owner by granting the variance, because** this variance would allow for our growing family to have the space we need to continue to live in this home. In addition to the extra bedroom and bathroom that we are proposing for the first floor, this project would allow us to build a fully functioning two car garage that can fit our vehicles. As our house currently stands, our existing one car garage cannot fit one of our two household vehicles due to the nature of the structural support/framing within our garage. Right now, we use this single car garage space as highly essential storage and park our vehicles outside in our driveway. With the design of a new two car garage, we intend to be able to utilize the garage for what it is meant to be. Having a young family in the house well as being a Nashua firefighter, the use of a garage, especially in the wintertime with snow covered vehicles, is extremely beneficial to have in case of an emergency or urgent call in for work. Our proposed scope will not harm our neighbors or the general public, but will greatly help me and my family.
- 4. The proposed use will not diminish the values of surrounding properties, because** the proposed scope would bring our house up to match the surrounding houses in terms of size and value. Currently our house is a 3 bedroom, 1 bathroom house, and our proposed scope is looking to match many surrounding houses that have 3-4 bedrooms and 1.5- 2 full bathrooms. What we are striving to accomplish is very similar to what our next door neighbors have at 26 Vespa Lane with a 4 bedroom, 2 bathroom house. Similarly, surrounding neighbors, such as 14 Vespa Lane and 32 Vespa Lane,

accommodate 2 car garages on their property with livable space above. It is not our desire to overbuild or create a superior house to others in this neighborhood but to maintain a value within the spectrum of value our neighborhood already holds.

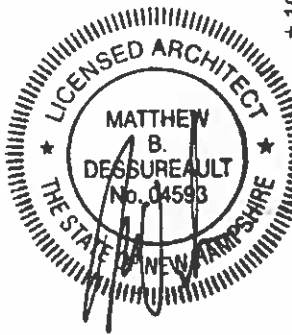
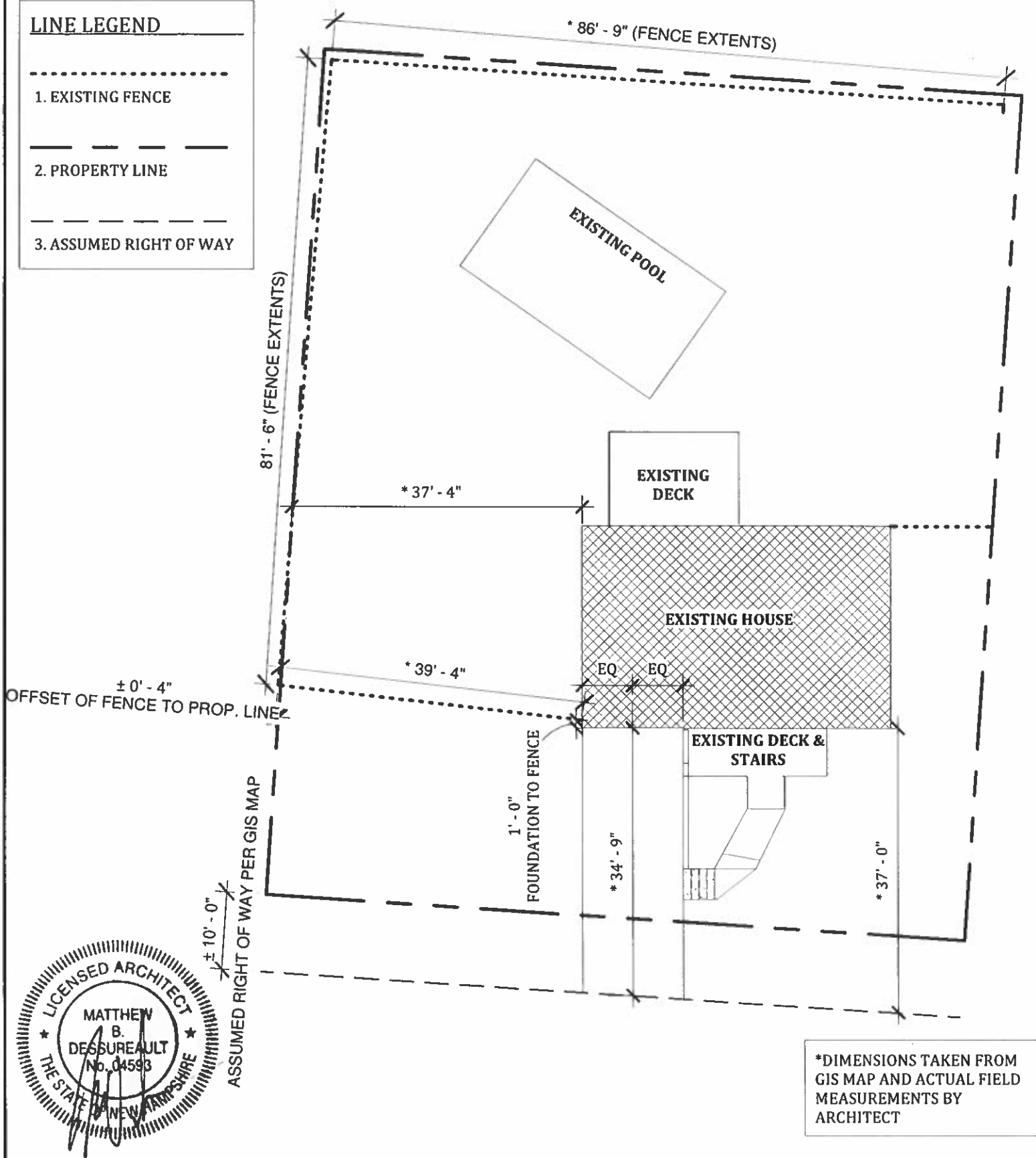
5. **Special conditions exist such that literal enforcement of the ordinance results in necessary hardship, because** this encroachment that varies 5'-0" – 7'-0" (24'-0" wide addition) will provide the required space for a two car garage below the first floor bedroom space. An internal clear distance of approximately 23'-4" fulfills the absolute minimum width needed to comfortably park our vehicles into the garage without hitting the car doors against the interior face of the walls. A narrower addition that would not require a variance and remain within the side setback, would not meet the minimum requirements needed for a 2 car garage. This encroachment into the side setback of our property would allow for a fully functioning two car garage, creating a sufficient amount of storage, living and bedroom spaces to accommodate our expected family size. We wish to keep this our forever home, but expect to outgrow this house at its current size. With the most recent upswing in real estate, moving at this time is not financially feasible, however an addition is within an achievable budget for us.

LINE LEGEND

1. EXISTING FENCE

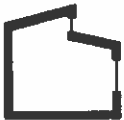
2. PROPERTY LINE

3. ASSUMED RIGHT OF WAY



ARCHITECT:

MB NET DEZIGN



P.O. BOX 1519
NASHUA, NH 03061

PROJECT:

MORRISSEY RESIDENCE
ANDREW AND ALEXA MORRISSEY
24 VESPA LANE
NASHUA

DATE:

23 JAN 2022

SCALE:

1/16" = 1'-0"

DRAWING TITLE:

EXISTING PLOT
PLAN

SHEET NUMBER:

A-00

LINE LEGEND

1. FENCE

2. PROPERTY LINE

3. ASSUMED RIGHT OF WAY

G-210

PARCEL ID: G-313

EXISTING POOL

EXISTING DECK

EXISTING HOUSE

NEW ADDITION
(2 CAR GARAGE & MASTER SUITE)

NEW DECK & STAIRS

DRIVEWAY

PROPERTY LINE

STREET LINE

VESPA LANE

G-312

G-167

13' - 2 1/8"

24' - 0"

(±7'-0" SETBACK ENCROACHMENT)

40' - 0"

31' - 6"

26' - 6"

± 15' - 3 1/2"

(±5'-0" SETBACK ENCROACHMENT)

13' - 2"

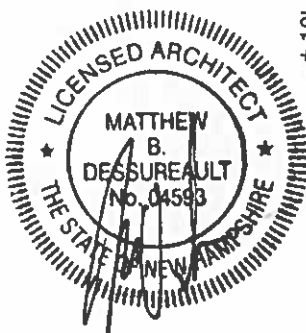
20'-0" MAX SETBACK

23' - 7"

24'-0" MAX DRIVE

± 10' - 0"

ASSUMED RIGHT OF WAY PER GIS MAP



ARCHITECT:

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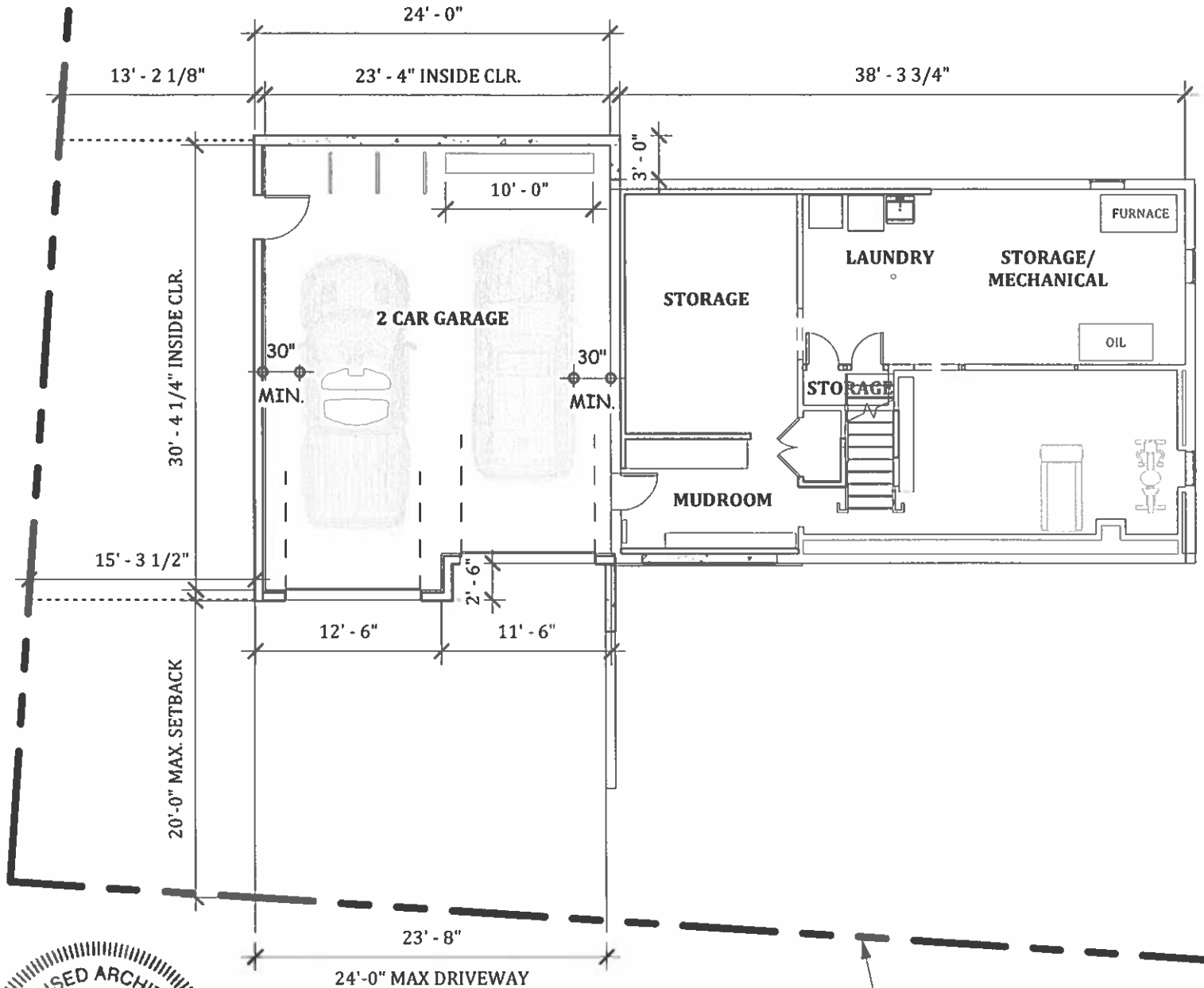
DRAWING TITLE:

PROPOSED PLOT
PLAN

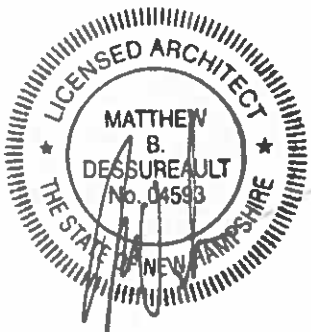
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A-01

POOL

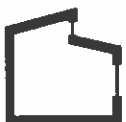


PROPERTY LINE



ARCHITECT:

MB NET DEZIGN



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SCALE:

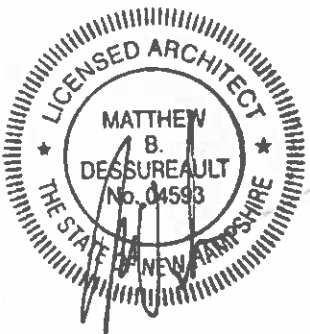
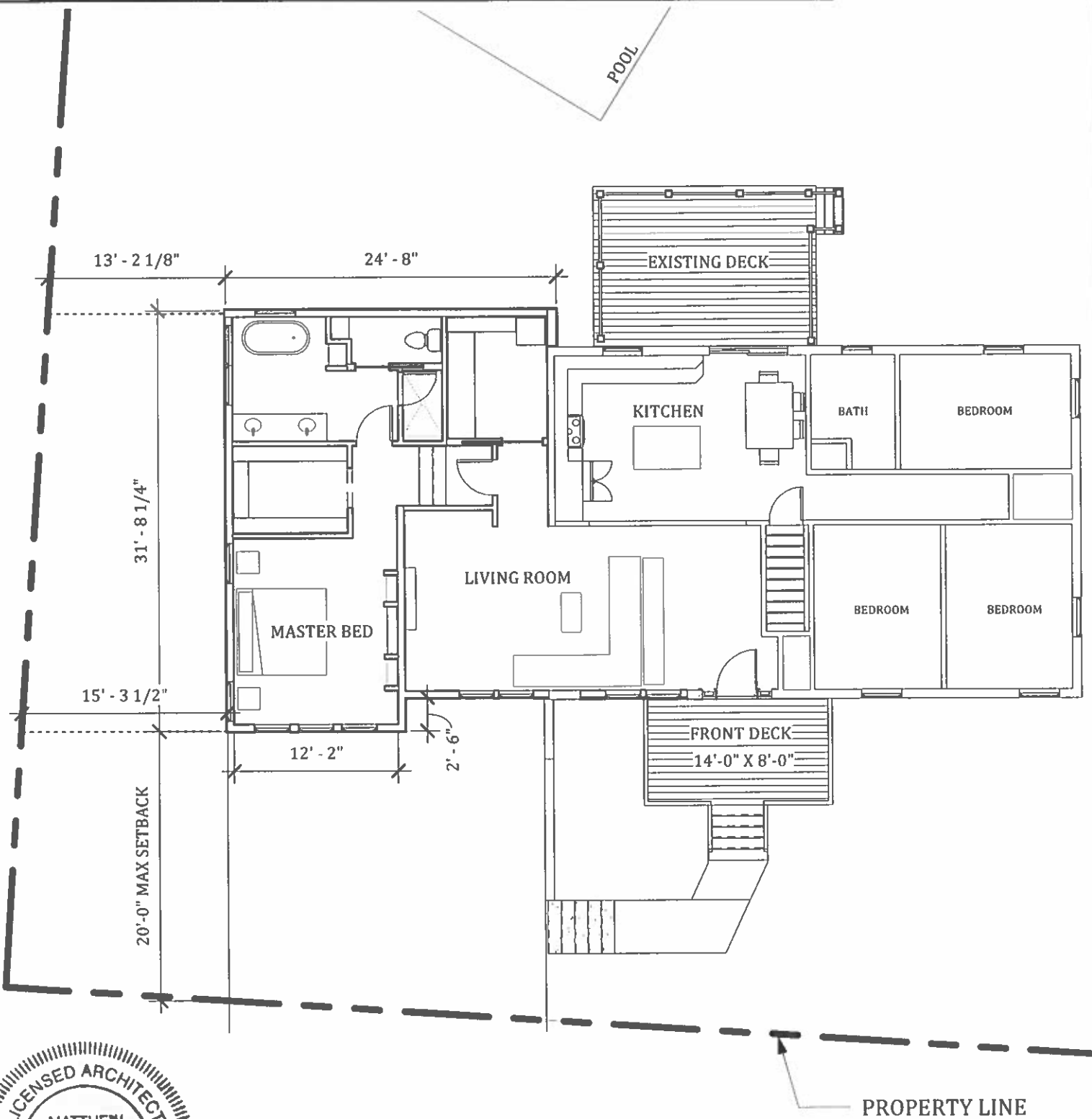
1" = 10'-0"

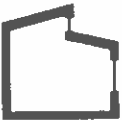
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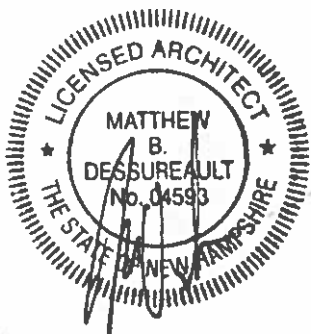
PROPOSED
BASEMENT PLAN

SHEET NUMBER:

A-02

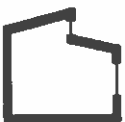


<p>ARCHITECT:</p> <p>MB NET DESIGN</p>  <p>P.O. BOX 1519 NASHUA, NH 03061</p>	<p>PROJECT:</p> <p>MORRISSEY RESIDENCE ANDREW AND ALEXA MORRISSEY</p> <p>24 VESPA LANE NASHUA</p>	<p>DATE:</p> <p>23 JAN 2022</p> <p>SCALE:</p> <p>1" = 10'-0"</p>	<p>DRAWING TITLE:</p> <p>PROPOSED FIRST FLOOR PLAN</p> <p>SHEET NUMBER:</p> <p>A-03</p>
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ARCHITECT:

MB NET DESIGN



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MORRISSEY RESIDENCE
ANDREW AND ALEXA MORRISSEY
24 VESPA LANE
NASHUA

DATE:

23 JAN 2022

SCALE:

1" = 10'-0"

DRAWING TITLE:

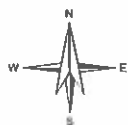
EXTERIOR
DESIGN

SHEET NUMBER:

A-04



24 Vespa Lane





24 Vespa La



0 75 150 300 Feet

